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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,788	08/21/2001	Josephus Arnoldus Henricus Maria Kahlman	NL010233	6726

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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BRIARCLIFF MANOR, NY 10510

EXAMINER

SHIBRU, HELEN

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/933,788	<b>Applicant(s)</b> KAHLMAN ET AL.	
	<b>Examiner</b> HELEN SHIBRU	<b>Art Unit</b> 2616	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 August 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☒ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/14/2002</u> . | 6) <input type="checkbox"/> Other: _____  |

***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a) because the proper labels or legend corresponding to all blocks must be provided as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono (EP 0 996 124 A1) in view of O'Connor (US Pat. No. 5,790,489).

Regarding claim 1, Ono discloses a record carrier (see fig. 3 disk (1)) having a first area (see fig. 3 recording medium (2)) for storing information (see col. 6 lines 41-46 and col. 7 lines 26-36), and a second area (see fig. 3 memory (3), receiver (10), transmitter (11)), the second area comprising an integrated circuit (see col. 6 lines 41-46 and col. 7 lines 30-32)), characterized in that transmitting means (see fig. 3 communication circuit) for transmitting additional information (see col. 6 line 41-col. 7 line 3, col. 10 lines 11-16 and line 56-col. 11 line 10 the transmitter (29) and transmitter receiver in addition to the main information) and receiving means (see fig. 3 transmitter receiver (30) and power supply circuit (28)) for receiving a power supply signal for power supply of the integrated circuit (see col. 7 lines 4-15, lines 48-54, col. 10 lines 16-21 ) are integrated in the integrated circuit (see col. 10 line 56-col. 11 line 11 and col. 11 lines 32-57). Claim 1 differs from Ono in that the claim further requires the receiving means comprising a light-sensitive sensor, for example, a photodiode.

In the same field of endeavor O'Connor teaches a compact disk include a processor and a transmission element under control of the processor. O'Connor further discloses a track (200 in fig. 2) can be placed in to the hub area of the CD (see fig. 1 hub (103) and the track includes a processor, a photosensitive charging array, charge storage element and transmission element (see col. 2 lines 48-67). O'Connor further discloses a laser diode (see fig. 3 laser diode (301) emits a beam which passes through beam splitter (see col. 3 lines 21-25), and the read beam may used to charge the charging array (see col. 3 lines 25-34). O'Connor further discloses an information signal which is one of a decryption key and a filter key (see claim 14). O'Connor further

discloses the information signal can be retrieved by timing the existence of charging the current coming from the charging array (see col. 5 lines 38-55). O'Connor further discloses the CD cannot be duplicated in normal fashion as the copy will not have the hardware required to deliver the decryption key (see col. 5 line 65-col. 6 line 9). Therefore in light of the teaching in O'Connor it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ono by providing a light sensitive sensor in order to protect copy.

Regarding claim 2, Ono discloses the receiving means are also adapted to receive additional information (see col. 6 lines 41-46, col. 7 lines 26-36 and col. 10 lines 11-21).

Regarding claim 3, Ono discloses the integrated circuits contactlessly readable (see fig. 2 and col. 5 line 41-col. 7 line 9).

Regarding claim 4, Ono discloses comprises the integrated circuit comprises means for generating a first communication channel operating a first frequency, and means generating a second communication channel operating second frequency, the first frequency being substantially unequal to the second frequency (see col. 7 lines 55-col. 8 line 58 and fig. 4 and 5).

Claim 5 is rejected for the same reason as discussed in claim 1 above.

Regarding claim 6, Ono discloses the integrated circuit comprises a memory in which the additional information is stored (see col. 6 lines 41-58).

Regarding claim 7, Ono discloses the record carrier is a pre-recorded record carrier (see col. 1 lines 53-57 and col. 7 lines 26-32).

Regarding claim 8, Ono discloses the first frequency is in an optical frequency range and the second frequency is in a radio frequency range (see col. 8 lines 11-58, setting the transmission band to higher and lower frequency).

Method claims 9-10 are rejected for the same reason as discussed in the apparatus claims 1-2 respectively.

Regarding claims 11, 12, and 19 the limitations of claims 11, 12, and 19 can be found in apparatus claim 1. Therefore claims 11 and 12 are analyzed and rejected for the same reason as discussed in claim 1 above.

Claims 13-15 are rejected for the same reasons as discussed in claims 2-4 respectively.

Claim 16 is rejected for the same reason as discussed in claim 1 above.

Regarding claim 17 Ono discloses the first communication channel is adapted for power supply of the integrated circuit and for data transmission (see col. 8 lines 19-40).

Claim 18 is rejected for the same reason as discussed in claim 5 above.

Claim 20 is rejected for the same reason as discussed in claim 8 above.

Claim 21, 22, and 23 are rejected for the same reason as discussed in claim 1 above.

Claim 24 is rejected for the same reason as discussed in claim 2 above.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kamperman et al. (US Pat. No. 6,580,682).

Shigetomi et al. (US Pat. No. 6,535,465).

Carson et al. (US Pat. No. 6,768,709).

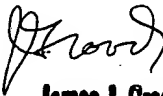
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571) 272-7329.

The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAMES J. GROODY can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Helen Shibru  
December 9, 2005

  
**James J. Groody**  
Supervisory Patent Examiner  
Art Unit 262-2616